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**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**No. 08 CR 146
Honorable Wayne Anderson**

RANDY PINE,

Defendant.

**DEFENDANTS' MOTION FOR THE
PRESERVATION OF AGENT'S NOTES**

NOW COMES Defendant **RANDY PINE**, by his attorney EDMUND P. WANDERLING, respectfully moves this Court to enter an order directing all law enforcement officers or agents, including but not limited to the United States Federal Bureau of Investigation (FBI), or any government attorneys involved in any aspect of this case to retain and preserve all typed or handwritten notes, or both, made by any of the above-noted individuals at any time in relation to this case.

However, Mr. Pine specifically urges that under United States v. Wables, 731 F.2d 440, 448-49 (7th Cir. 1984) any and all handwritten or typed notes made by any of the above-noted individuals, including notes made during interviews of any prospective government witnesses, may be discoverable.

Specifically defendant urges that this Court order the preservation of any notes taken during the course of purported interviews of any witness or any other government informant or cooperating witness, as that term is commonly understood, by FBI Agents, or

any other agents, officers, attorneys, or investigators of the federal, state, or local government.

This Court's order should also include the preservation of any notes that are taken between the date of the order and the time of the trial.

Respectfully submitted,

/s/ Edmund P. Wanderling
RANDY PINE, by his attorney
EDMUND P. WANDERLING

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